IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4712 OF 2005

Maharashtra Industrial Development Corporation & Ors ...Applicants

Versus

Shri.P.J. Jadhav & Anr ...Respondents

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Mr. S.P. Kadam i/b Little & Co. Advocate for Applicants.

Ms. Pallavi Divekar i/b Ms. Lata Desai, Advocate for respondent No.1.

Ms. S. V. Gajare, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.
DATED: 5TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicants, the learned advocate for respondent No.1 i.e. original complainant and the learned A.P.P. for the State.

2. The applicants have prayed for quashing of process issued against them in Criminal Case No. 12/S/2003 which is pending in the Court of learned Addl. Chief Metropolitan Magistrate, 38th Court, Ballard Pier, Mumbai. In the said case, process has been issued against the applicants under Section 3 of Maharashtra Private Security Guards (Regulation of Employment) Act, 1981.

3. For the reasons recorded in the decision of this Court in the case of **V.K. Jain & Ors. Vs. Pratap Vs. Padode and Anr, reported in 2005(3) Mh.L.J. 778,** in my opinion, the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision would be preferred within a period of eight weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of eight weeks from today. The learned advocate for the respondent No. 1 i.e. original complainant fairly states that no objection would be raised in respect of delay in filing revision before the learned Sessions Judge.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Application is disposed of.

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